

UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN
Southern Division (1)

TRAVERSE CITY AUTO PLAZA, INC.,
A Michigan corporation, d/b/a Cherry Capital
Automotive and Cherry Capital,

Civil Docket No. 1:07-cv-00585-
Hon. Paul L. Maloney

Plaintiff,

v.

CHERRY CAPITAL CARS, INC.,
A Michigan corporation, d/b/a Cherry
Capital Used Cars,

Defendant,

_____/

Louis A. Smith (P20687)
Kenneth M. Petterson (P43416)
SMITH & JOHNSON, ATTORNEYS, P.C.
603 Bay Street, PO Box 705
Traverse City, MI 49685-0705
(231) 946-0700

John Egloff, Defendant, In Pro Per
Cherry Capital Cars, Inc.

_____ /

CONSENT JUDGMENT

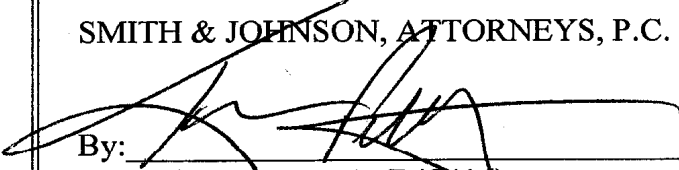
NOW COME the parties and stipulate and agree to the entry of this Consent Judgment as follows:

1. Defendant shall be permanently enjoined from the use of "Cherry Capital" in any combination with respect to its use in any trade or business involving automobiles.
2. Defendant shall, within thirty (30) days of entry of this Stipulated Order of Dismissal, change its corporate name and/or tradename with the State of Michigan, Department of Labor and Economic Growth and any other

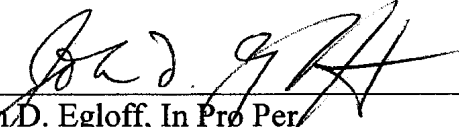
governmental agencies previously registered to remove any reference using the term "Cherry Capital" in any combination.

3. Defendant shall submit, contemporaneously with filing, evidence of the change of name required in paragraph 2 above.
4. Defendant shall pay to Plaintiff, attorney fees and costs in the sum of FIVE THOUSAND AND NO/100THS DOLLARS (\$5,000.00) no later than September 16, 2007.
5. That any claims and/or cause of action that Defendant and/or any its employees, agents or representatives have or may have, however denominated, are hereby waived and this matter shall be dismissed with prejudice.

SMITH & JOHNSON, ATTORNEYS, P.C.

By: 
Kenneth M. Petterson (P43416)
Attorney for Plaintiff
Dated: 8/16/07

CHERRY CAPITAL CARS, INC.

By: 
John D. Egloff, In Pro Per
Its: President/Agent
Dated: 8/16/07

IT IS SO ORDERED.

Dated: September 4, 2007

/s/ Paul L. Maloney

Hon. Paul L. Maloney
US District Court Judge